

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

TOM HIGGINS, individually and on
behalf of the settlement class,

Plaintiff,

v.

TV GUIDE MAGAZINE, LLC, a
Delaware limited liability company,

Defendant.

Case No.: 2:15-cv-13769

Hon. Stephen J. Murphy, III

Mag. Mona K. Majzoub

**PLAINTIFF’S UNOPPOSED MOTION FOR LEAVE TO
FILE ENLARGED BRIEF IN SUPPORT OF MOTION FOR
ATTORNEYS’ FEES, EXPENSES, AND INCENTIVE AWARD**

Plaintiff Tom Higgins (“Plaintiff”) hereby moves the Court for leave to file an enlarged brief, not to exceed thirty-two (32) pages, in support of his forthcoming Motion for Attorneys’ Fees, Expenses, and Incentive Award. In support of this unopposed motion, Plaintiff states as follows:

1. In connection with the parties’ class-wide Settlement Agreement, which the Court preliminarily approved on September 18, 2018, Plaintiff seeks to file a Motion for and Brief in Support of Attorneys’ Fees, Expenses, and Incentive Award on November 9, 2018. (*See* Dkt. 73.)
2. Plaintiff has made his greatest effort to keep his fee brief as succinct as possible.

3. However, Plaintiff believes in good faith that the filing of a brief in excess of the Court's twenty-five (25) page limit is necessary to fully and effectively (i) address the factual and procedural posture of the case, (ii) describe the work performed by Class Counsel on behalf of the Settlement Class, (iii) demonstrate that the requested attorneys' fees are reasonable and warrant approval, and (iv) explain why the requested incentive award to Plaintiff should be approved. *See* E.D. Mich. LR 7.1(d)(3)(A). Plaintiff is confident that he can fully and effectively present his brief in thirty-two (32) pages or less.

4. Class Counsel conferred with counsel for Defendant on November 2, 2018. Defendant does not oppose Plaintiff's request to file an enlarged brief.

WHEREAS, Plaintiff Tom Higgins respectfully requests that the Court enter an Order granting him leave to file an enlarged brief, not to exceed thirty-two (32) pages, in support of his forthcoming Motion for Attorneys' Fees, Expenses, and Incentive Award.

Respectfully submitted,

Dated: November 2, 2018

TOM HIGGINS, individually and on
behalf of settlement class

By: /s/ Ari J. Scharg
One of Plaintiff's attorneys

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Settlement Class Counsel

CERTIFICATE OF SERVICE

I, Ari J. Scharg, an attorney, hereby certify that on November 2, 2018, I served the above and foregoing ***Plaintiff's Unopposed Motion for Leave to File Enlarged Brief in Support of Motion for Attorneys' Fees, Expenses, and Incentive Award*** on all counsel of record by filing it electronically with the Clerk of the Court using the CM/ECF filing system.

/s/ Ari J. Scharg_____